

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF: VanDenBos et al.
 SERIAL NO: Unassigned
 FILED: Herewith
 CUSTOMER NO.: 27162
 FOR: Human Mesenchymal DNAs and Expression Products

ATTY/DKT NO.: 640100-430

Commissioner of Patents and Trademarks
 Washington, DC 20231

SIR:

Pursuant to 37 C.F.R. §1.56(a), Applicant(s) hereby cite(s) the enclosed documents listed on the attached copy of Form PTO-1449 which are believed to be material to the patentability of the above-identified application.

This Information Disclosure Statement is filed in accordance with the paragraph of 37 CFR §1.97 indicated below:

☒ §1.97(b) This Information Disclosure Statement is filed:

- (1) Within three months of the filing date of a national application; OR
- (2) Within three months of the date of entry of the national stage of an international application; OR
- (3) Before the mailing of a first Office Action on the merits.
 No fee or statement is required.

☐ §1.97(c) This Information Disclosure Statement is filed after the period specified in paragraph (b) above, but before the mailing date of either:

- (1) A Final Action or under 37 CFR §1.113; OR
- (2) A Notice of Allowance under 37 CFR §1.311; AND

is accompanied by either: (check one)

- ☐ The statement as specified in 37 CFR §1.97(e) set out below; OR
- ☐ The fee of \$180.00 under 37 CFR §1.17(p).

___§1.97(d) This Information Disclosure Statement is filed after the mailing date of either:

- (1) a Final Action or under 37 CFR §1.113; OR
- (2) A Notice of Allowance under 37 CFR §1.311;

BUT filed on or before payment of the Issue Fee; AND
is accompanied by:

- (1) The statement as specified in 37 CFR §1.97(e) as set forth below; AND
- (2) Petition is hereby made under 37 CFR §1.97(d) for consideration of this Information Disclosure Statement; AND,
- (3) The petition fee of \$180.00 set out in 37 CFR §1.17(i).

___§1.97(e) The undersigned Attorney hereby states that:

___ each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement;
or

___ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or to the knowledge of the undersigned Attorney after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

The Commissioner is authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

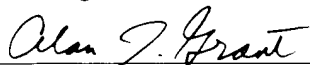
EXPRESS MAIL CERTIFICATE

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Deposit date: October 1, 2001

I hereby certify that this paper and the attachments hereto are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above addressed to: BOX PATENT APPLICATION

Commissioner for Patents
Washington, D.C. 20231


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Respectfully submitted,



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Form PTO-1449

INFORMATION DISCLOSURE STATEMENT

Atty. Docket:

640100-430

Serial No.:

Unassigned

Applicant: VanDenBos et al.

Filing Date: Herewith

Group:

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Sub-Class	Filing Date
	A1						
	B1						
	C1						
	D1						
	E1						
	F1						
	G1						
	H1						
	I1						
	J1						
	K1						

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Country	Class	Sub-Class	Translation
	L1	WO 98/35022	13 Aug. 1998	EPO			
	M1						
	N1						

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	O1	XP-000929549 Jang et al., "Aup1, a Novel Gene on Mouse Chromosome 6 and Human Chromosome 2p13," Genomics, Article No. 0477, pp. 366-368 (1996).					
	P1	XP-000929561 Jaiswal et al., "Osteogenic Differentiation of Purified, Culture-Expanded Human Mesenchymal Stem Cells In Vitro," Journal of Cellular Biochemistry, pp. 295-312 (1997).					
	Q1	XP-002143787 - Hillier et al., "Soares Melanocyte 2NbHM Homo Sapiens cDNA Clone," (13 January 1996).					
	R1	XP-002143786 - Robert Strausberg, "Kid11 Homo Sapiens cDNA Clone," (17 March 1999).					
	S1						
	T1						
	U1						

Examiner:

Date Considered:

EXAMINER:

Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.